

U.S. Department of Justice



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June 20, 2005

The Honorable John P. Fullam
United States District Court
U.S. Courthouse
601 Market Street, Room 15614
Philadelphia, PA 19106-1780

**Re: United States v. Thomas P. Gordon, et al.,
 Criminal Action No. 04-63 (JPF)**

Dear Judge Fullam:

I am writing to advise the Court as to subsequent developments with respect to one of Defendants' pending motions.

In their Motion Under Fed. R. Crim. P. 16 (D.I. #123), Defendants seek to compel the government to: "1. Produce all documents reflecting any and all agreements with or inducements to Mr. Tucker (and any other maker of covert audio recordings) and the voluntariness and good faith of his (and any others') covert recordings of defendant Gordon and others."

The government has provided Defendants with all documents responsive to this request number 1. In particular, the government has produced the consent forms executed by the individuals who made covert recordings. As the government has repeatedly advised Defendants, there are no other documents responsive to this request number 1. Accordingly, the government believes this portion of Defendants' Rule 16 motion is moot.

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Counsel for the government are available to discuss this matter at the Court's convenience.

Respectfully submitted,

COLM F. CONNOLLY
United States Attorney

BY: _____

Leonard P. Stark
Assistant United States Attorney

CFC:taj

cc: Ronald H. Levine, Esquire (**by ECF & facsimile**)
William W. Taylor, III, Esquire (**by ECF & facsimile**)
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